

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

ORDER

This matter was referred for initial proceedings to United States Magistrate Judge Gary M. Purcell consistent with 28 U.S.C. § 636(b)(1)(B), (C). Currently pending is Judge Purcell's Report and Recommendation. [Doc. No. 16]. Despite being cautioned that he must file any objection no later than July 28, 2022, *see id.* at 7, Plaintiff did not object and has waived his right to appellate review of the factual and legal issues addressed therein. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010).

Plaintiff alleges generally that his Eighth and Fourteenth Amendment rights to mental health medical care were violated at the Joseph Harp Correctional Center. [Doc. No. 1]. Despite two clear warnings that he would need to amend his complaint to provide a factual basis for his claims, and to clarify each Defendant's personal participation, *see* [Doc. Nos. 11, 14], Plaintiff has failed to cure the conclusory nature of his Complaint. Judge Purcell has therefore recommended that the Complaint be dismissed without prejudice for failure to state a valid claim for relief. [Doc. No. 16].

With no objection from Plaintiff, the Court ADOPTS the Report and Recommendation [Doc. No. 16] and DISMISSES the Complaint [Doc. No. 1] without prejudice.

IT IS SO ORDERED this 11th day of August, 2022.



BERNARD M. JONES
UNITED STATES DISTRICT JUDGE